

JAN. 25. 2005 4:36PM

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**To:** Phyllia D. Cauty  
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**From:** Mitchell J. Weinstein, Esq.

**Fax:** (703) 872-9308

**Pages:** 4 - including cover page

**Phone:**

**Date:** 1/25/2005

**Re:** *Fredericksen, U.S. Patent Application*  
*Serial No. 09/833,848*  
*Our File No. 12368 (6385/78201)*

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Adjustment Date: 04/25/2005 SDIRETA1  
02/14/2005 GBUTLER 00000011 230920 09633846  
01 FC:1401 500.00 CR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dave Fredericksen

Group No.: 1772

U.S. Serial No. 09/633,846

Examiner: Catherine A. Simone

Filed: August 7, 2000

For: POWDER COATED STRAP  
AND METHOD FOR MAKING  
SAME

I hereby certify that this paper is being  
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22313-1450 on this date:

Attorney  
Docket No: 12368 (6365/79201)

03/09/2005  
Date

**SECOND REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above-identified application, Applicant respectfully requests a refund of the \$500.00 fee charged to Deposit Account 23-0290 on February 14, 2005 in connection with a Notice of Appeal. The application (Attorney Docket No. 12368 6365/79201) was the subject of an appeal. A final Official Action was mailed from the US Patent and Trademark Office on December 29, 2003. In response, a Notice of Appeal was filed on March 29, 2003, within the three-month shortened statutory period for response. Applicant's deposit account was charged accordingly.

An Appeal Brief was then filed on May 12, 2004. The Appeal Brief was fully in conformance with, 17 CFR 1.192 and was filed within the two-month statutory period for the filing of the brief. Again, Applicant's deposit account was charged accordingly.

U.S. Serial No. 09/633,846  
March 9, 2005

Based upon the above, Applicant respectfully requests a refund of the \$500.00 Notice of Appeal fee charged to Deposit Account for the above-noted application. No Notice of Appeal was filed at this time. Rather, the Notice of Appeal was filed almost a full year prior to the date of the charge. At this time, Applicant has no knowledge of the status of this application since the appeal brief was filed May 12, 2004.

Should there be any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully submitted,

By: \_\_\_\_\_

Mitchell J. Weinstein  
Registration No. 37,963

Dated: March 9, 2005

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